



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH

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**Morris County Cross-acceptance III Public Hearing
New Jersey State Planning Commission
Minutes of the Meeting Held August 29, 2007
Morris County Administration Building
Freeholder Meeting Room
Court Street
Morristown, New Jersey 07960**

WELCOME & INTRODUCTIONS

Benjamin Spinelli, Executive Director in the Office of Smart Growth (OSG), called the August 29, 2007 meeting of the New Jersey State Planning Commission to order at 6:40 p.m. Mr. Spinelli proceeded to introduce the State Planning Commission (SPC) members in attendance. Thomas Michnewicz, Public Member, and John Eskilson, Local Government Representative, attended on behalf of the SPC. Mr. Spinelli then introduced Morris County Department of Planning, Development, and Technology staff in attendance. Raymond Zabihach, Morris County Division Director, and Christine Marion, Long Range Planner, attended on behalf of the Morris County Planning staff. Mr. Spinelli then introduced staff attending on behalf of the Office of Smart Growth (OSG) and OSG's State Agency partners. The following people were in attendance on behalf of OSG: Corey Piasecki, Area Planner and Lorissa Whitaker, Principal Planner. The following people were in attendance on behalf of OSG's State Agency partners: Liz Semple, New Jersey Department of Environmental Protection (NJDEP), Timothy Brill of the State Agricultural Development Committee (SADC), and Helene Ruben, New Jersey Department of Transportation (NJDOT).

OPEN PUBLIC MEETINGS ACT

Mr. Spinelli announced that notice of the date, time and place of the meeting had been given in accordance with the Open Public Meetings Act.

PLEDGE OF ALLEGIANCE

Mr. Spinelli asked everyone to stand for the Pledge of Allegiance.

OVERVIEW OF PASSAIC COUNTY CROSS-ACCEPTANCE & THE STATE PLAN

Mr. Spinelli provided an overview of the third round of the Cross-acceptance process. Mr. Spinelli provided that Morris County was the 20th county to conduct a public hearing for the third round of the Cross-acceptance process. This dialogue included a breakdown of the issues that were discussed at the internal, interagency and staff-to-staff meetings, as it relates to Morris County. Mr. Spinelli also discussed the revisions to the State Development & Redevelopment Plan (State Plan). Mr. Spinelli stressed the importance of the policies and goals of the State Plan. The recent Plan Endorsement revisions were also discussed.

MORRIS COUNTY CROSS-ACCEPTANCE REPORT PRESENTATION

Around 7:10 Mr. Raymond Zabihach, began with a short presentation of the history of the Cross Acceptance process in Morris County. Mr. Zabihach stated that the first cross acceptance process required the Counties to gather information from the Municipalities regarding the State Development and Redevelopment Plan, and produce a report in six months. Mr. Zabihach continued to say that Morris County, in an attempt to improve the process, produced a total of 40 reports; one for each municipality and one for the county. This then became a model for the Cross Acceptance Process as it is today.

Christine Marion followed with a summary of the Cross Acceptance III process as it pertains to Morris County and its Municipalities. Ms. Marion indicated that most of the mapping changes throughout the County were technical changes due to the improved County mapping. Ms. Marion continued by briefly discussing the process by which each Morris County Municipality was provided the opportunity to comment on Policy Issues. Ms. Marion indicated that each municipality was given a survey about implantation of the State Plan policies, and their effectiveness in Planning at the municipal level.

Mr. Spinelli then opened the hearing to the public.

PUBLIC COMMENT

Commenter 1: Mr. Christopher Marra, Executive Director of the Morris County Economic Development Corporation, a Division of the Morris County Chamber of Commerce stated that he was present to voice his agreement with the Mount Olive mapping changes and as that the entire ITC be included in the mapping change from PA5 to PA2. Mr. Marra continued by voicing his agreement with the Office of Smart Growths recommendation to expand the area to create a continuous zone of PA2.

Commenter 2: Renee Shevade, Consultant for the Canfield Building Associates, stated that her group has been trying to develop a 230 acre parcel in Mine Hill but has faced continuous litigation. Ms. Shevade continued in stating that her clients had agreed to sell almost the entire parcel to the Township in exchange for a zoning change on a 40 acre parcel to age restricted zoning. Ms. Shevade stated that the property is currently mapped as PA 5 and he clients are concerned it would restrict development. Further, Ms. Shevade proceeded to explain why the property should be considered PA 2 by stating that the property is within close proximity to Highways and other growth areas as well as being publicly sewered and watered and contains no Threatened or Endangered species. Ms. Shevade concluded by asking that the State Planning Commission consider this property for a PA 2 designation.

Commenter 3: Chuck McGroarty, of Banish Associates, and Planning Consultant for Mount Olive Township stated that there were areas of the ITC zone that were designated as being in

the Preservation Area of the Highlands Water Protection and Planning Act, but that he was not particularly concerned with this because the Township has already received an permit through the Highlands Council. Mr. McGroarty further stated that his primary concern was the State's mapping of the Morris County Preserved Open Space layer and that there were several pieces incorrectly mapped within the ITC zone. Mr. McGroarty requested that the Office of Smart Growth and the County work together to correct this issue.

Commenter 4: Jim Slate, Engineer for Morris Township, stated that the PA 3 area that was changed to PA 5 through the Cross Acceptance process should be reverted back to a PA 3, and that all PA 1 with a PA 5 adjacent to it should have a PA 3 buffer since this was meant to be a transition Zone. Further, Mr. Slate questioned whether or not the state had a specific policy regarding the Board of Public Utilities utility extension reimbursement program. Mr. Slate proceeded to state that the state should buy land in order to preserve it rather than creating policies that regulate it. Mr. Slate also questioned the benefits of Plan Endorsement.

Commenter 5: Walter Kritch Jr. Stated his concern for property appraisals in the Garden State Trust Property Appraisal. Mr. Kritch stated that current rules allow for property within the Highlands top be appraised at pre-act values, this exemption expires in June of 2008. Mr. Kritch further stated that there is an need for an extension of this deadline due to funding issues.

Commenter 6: Gary Collucci, Councilmen for Mine Hill Township, stated that he here today to express the views of the Mine Hill Mayor and Council, and is pleased with the Canfield Associates plan mentioned earlier, and agrees with their comments. Mr. Collucci stated that all matters should be taken into consideration in regards to this development project.

STATE PLANNING COMMISSION (SPC) COMMENTS

The SPC members in attendance did not provide any comments.

ADJOURN

Mr. Spinelli adjourned the hearing at 7:50 p.m.